

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANIEL CRUM,

Plaintiff,

CIV-S-04-0125 DFL PAN

v.

UNUM LIFE INSURANCE COMPANY,  
et al.,

ORDER

Defendants.

Plaintiff Daniel Crum has filed an ex parte application to continue the hearing, currently set for July 27, 2005, of defendants' motion for summary judgment. Plaintiff requests an extension of 90 to 120 days in order to obtain medical records and declarations. A continuance would require adjustment of the remaining dates set by the court's December 2, 2004 Scheduling Order. The scheduling order may be modified only upon a showing of good cause. Fed.R.Civ.P. 16(b). Plaintiff has not shown

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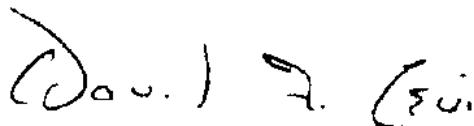
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1 good cause, given that the need for plaintiff's medical records  
2 should have been anticipated and planned for in advance of  
3 defendants' motion. Therefore, plaintiff's request for a  
4 continuance is DENIED.

5 IT IS SO ORDERED.

6 Dated: 7/8/2005

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10 DAVID F. LEVI  
11 United States District Judge  
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